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B¹
12. (Amended) The method according to claim 1 or 2, wherein said locus-specific capture oligonucleotides are selected from the group consisting of: SEQ ID NOs:270-277.

REMARKS

Species Election

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Applicants have noted that originally filed claim 12, which was referred to in the restriction requirement, incorrectly refers to capture oligonucleotides selected from the group consisting of SEQ ID NOs:270-275. Applicants have amended the claim to recite the entire group of capture oligonucleotides, SEQ ID NOs:270-277, and elect SEQ ID NO:277 as a species.

Traversal of Restriction Requirement

In making the requirement for restriction, the Examiner argues that the "class I genotype" invention and the "class II genotype" invention are distinct from one another because the molecules have structures different from one another and each SEQ ID number represents a nucleic acid sequence that differs from the other with respect to their structure. Applicants traverse the restriction requirement.

As stated in MPEP 803.01:

There are two criteria for a proper requirement for restriction between patentably distinct inventions:
(A) The inventions must be independent (see MPEP Section 802.01 Section 806.04, Section 808.01) or distinct as claimed (see MPEP Section 806.05 - Section 806.05(i)); and
(B) There must be a serious burden on the examiner if restriction is required (see MPEP Section 803.02 Section 806.04(a) - Section 806.04(i), Section 808.01(a), and Section 808.02).

Applicants respectfully submit that methods to identify the genotype of immunological molecules, regardless of whether the genotype is for class I MHC or class II MHC molecules, are described in the same body of scientific literature and therefore a

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search for examination purposes could easily be made without a serious burden on the Examiner.

The MPEP explicitly states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." In view of the above, Applicants respectfully request withdrawal of the restriction requirement.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "P. Tsao".

Patricia I. Tsao
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend claim 12 as follows:

12. (Amended) The method according to claim 1 or 2, wherein said locus-specific capture oligonucleotides are selected from the group consisting of: SEQ ID NOs:270-[275] 277.

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